

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KAREN LURIE,

Plaintiff,

v.

**GLOBE LIFE AND ACCIDENT
INSURANCE COMPANY, et al.,**

Defendant,

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Case No. 1:06-cv-0034MEF

AFFIDAVIT OF WILLIAM B. MATTHEWS, JR.

"My name is William B. Matthews, Jr., and I am over the age of nineteen (19) and have personal knowledge of the following:

On January 12, 2004, Mrs. Karen Lurie and I contacted Globe Life and Accident Insurance Company via telephone and notified it that its insured, Mr. David Lurie, had been killed in an accident on January 6, 2004. I provided the Globe Life representative with Mr. Lurie's insurance policy number and informed the representative that Mr. Lurie's November and December 2003 premium payments were not paid until January 4, 2004, which was two days before he was killed in the accident. The Globe Life representative told Mrs. Lurie and me that there would be no lapse in coverage as long as Globe Life received Mr. Lurie's premium payments before January 17, 2004. I was instructed by the Globe Life representative to send a letter regarding the above to its Life Claims department as soon as I was able to obtain a copy of Mr. Lurie's accident report and death certificate. The Globe Life representative also told me that we would be receiving claim forms to complete and return with the appropriate information to Globe



Life and Accident Insurance Company. I confirmed all of the above in my January 26, 2004, letter that I sent to the Life Claims department at Globe Life and Accident as instructed. A true and correct copy of said letter is attached hereto as Exhibit "A". In addition, I had numerous subsequent telephone conversations with representatives of Globe Life concerning my client's claim and was repeatedly reassured that there had been no lapse in coverage because the premium payment had been received and processed by Globe Life before the January 17, 2004, deadline. In fact, it wasn't until I received the May 18, 2004, letter from Globe Life that I was put on notice that the premium payment was going to be a problem. I have attached the May 18, 2004, letter from Globe Life as Exhibit "B".

The foregoing is true and accurate to the best of my knowledge."

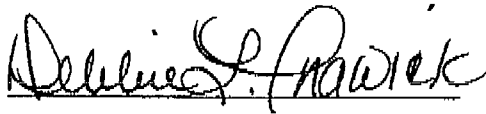

WILLIAM B. MATTHEWS, JR.

STATE OF: ALABAMA)

COUNTY OF: DALE)

I, the undersigned Notary Public in and for the State of Alabama at Large, hereby certify that the person that signed the foregoing, and who is known to me and who being by me first duly sworn, acknowledged before me on this day that being informed of the contents of the said document, they executed the same voluntarily on the day the same bears date.

SWORN to and SUBSCRIBED before me this the 2nd day of NOV., 2006.



NOTARY PUBLIC

My Commission Expires: 4-16-07